



**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT BOMAN,

Defendant.

Case No.: 2:18-MJ-02791-2
ORDER OF DETENTION

I.

On October 24, 2018, Defendant Robert Boman ("Defendant") made his initial appearance in this district on the Complaint filed in this matter, Case No. 2:18-MJ-02791-2. Peter Swarth, a member of the Indigent Defense Panel, was appointed to represent Defendant.

The Court made a detention determination based on motion by the Government in a case involving a serious risk that Defendant will flee. The Court concludes that the Government is not entitled to a rebuttable presumption that no condition or combination of conditions reasonably will assure the Defendant's appearance as required and the safety of any person or the community [18 U.S.C. § 3142(e)(2)].

II.

The Court finds that no condition or combination of conditions reasonably will assure the appearance of the Defendant as required and the safety of any person or the community.

The Court bases its conclusions on the following:

As to risk of non-appearance:

- No financial ties to the community
- Criminal history, including disobeying prior court orders and a failure to appear on a traffic matter
- Defendant allegedly fled during arrest on the instant matter
- Defendant is an active methamphetamine user
- No evidence of support for surety on proposed bail resources

As to danger to the community:

- Prior criminal history, including convictions for violent crimes and lengthy juvenile record
- Nature of the offense
- Known member of a violent White Supremacist organization
- Defendant is an active methamphetamine user
- Defendant is a restrained person on an order that runs through July 1, 2019
- Defendant currently is serving two grants of probation

III.

In reaching its decision, the Court has considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled

1 substance, firearm, explosive, or destructive device; (b) the weight of evidence
2 against the defendant; (c) the history and characteristics of the defendant; and (d)
3 the nature and seriousness of the danger to any person or the community. [18
4 U.S.C. § 3142(g)] The Court also considered all the evidence adduced at the
5 hearing and the arguments, the arguments of counsel, and the report and
6 recommendation of the U.S. Pretrial Services Agency.

7
8 IV.

9 IT IS THEREFORE ORDERED that the defendant be detained until trial.
10 The defendant will be committed to the custody of the Attorney General for
11 confinement in a corrections facility separate, to the extent practicable, from
12 persons awaiting or serving sentences or being held in custody pending appeal.
13 The defendant will be afforded reasonable opportunity for private consultation
14 with counsel. On order of a Court of the United States or on request of any
15 attorney for the Government, the person in charge of the corrections facility in
16 which defendant is confined will deliver the defendant to a United States Marshal
17 for the purpose of an appearance in connection with a court proceeding.
18 [18 U.S.C. § 3142(i)]

19
20 Dated: October 25, 2018

21 _____/s/_____
22 HON. MARIA A. AUDERO
23 UNITED STATES MAGISTRATE JUDGE
24
25
26
27
28